

IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF NORTH CAROLINA

CIVIL ACTION NO.: 1:17-CV-00854-TDS-LPA

REBECCA KOVALICH and
SUZANNE NAGELSKI,

Plaintiffs,

vs.

PREFERRED PAIN MANAGEMENT
& SPINE CARE, P.A., *et al.*,

Defendants.

**DEFENDANTS' MOTION TO SEAL
DOCUMENTS**

NOW COME Defendants, Preferred Pain Management & Spine Care, P.A. ("PPM"), Dr. David Spivey ("Dr. Spivey") and Sherry Spivey ("S. Spivey") (collectively referred to as "Defendants"), by and through their undersigned counsel, and pursuant to Local Civil Rule 5.4 moves this Court for an order to seal documents containing personnel information about employees and/or former employees of PPM who are not parties to this action. Specifically, Defendants request the Court seal the following documents:

Personnel Information: The following documents and exhibits contain personnel information about employees and/or former employees of PPM who are **not parties** to this action:

a. Suzanne Nagelski Deposition

i. Exhibit 9

b. Rebecca Kovalich Deposition

i. Deposition Excerpts: pp. 242 and 250

c. **Sherry Spivey Deposition**

- i. Deposition Excerpts: pp. 139; 198-99; and 206
- ii. Exhibit 59
- iii. Exhibit 74

d. **30(b)(6) Deposition (Volume I and II)**

- i. Deposition Excerpts: 15; 20-21; and 113-114

e. **Declaration of Sherry Spivey**

- i. Exhibit 1

f. **Wendy Yontz Declaration**

- i. Wendy Yontz Declaration
- ii. Exhibits 1-2 and 4-8

g. **Misstatement of the Record Chart**

- i. Entire exhibit

In support of their Motion, Defendants submit *Defendant's Memorandum of Law in Support of Motion to Seal Documents to Reply Briefs*, filed contemporaneously herewith.

WHEREFORE, Defendants respectfully request that the Court grant their Motion and order that that the aforementioned documents be filed under seal.

Respectfully submitted this the 14th day of November, 2018.

JACKSON LEWIS P.C.

BY: /s/ Ann H. Smith
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CERTIFICATE OF SERVICE

The undersigned certifies that on November 14, 2018, the foregoing *Defendants'* *Motion to Seal Documents* was filed with the Clerk of the Court, using the Court's CM/ECF system, which will send notification of such filing as follows:

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